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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/571,041

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Mark Shuster

2725-30505

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78091

7590

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EXAMINER

HARCOURT, BRAD

ART UNIT

PAPER NUMBER

3676

MAIL DATE

DELIVERY MODE

07/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/571,041	Applicant(s) SHUSTER ET AL.	
	Examiner Brad Harcourt	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1, 119, 123, 127, 135, 142, 190, 194, 199, 205, 310, 667, 673, 729, 758, 810, 925, 1038, 1044, 1046, 1107, 121-1224, 1233, 1260, 1264, 1313 and 1370-1382 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1, 119, 123, 127, 135, 142, 190, 194, 199, 205, 310, 667, 673, 729, 758, 810, 925, 1038, 1044, 1046, 1107, 121-1224, 1233, 1260, 1264, 1313 and 1370-1382 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims subject to restriction and/or election requirement are 1,119,121-1224,1233,1260,1264,1313 and 1370-1382.

DETAILED ACTION

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1, claim(s) 1, 119, 127, 142 and 673, drawn to a expandable tubular assembly with portions having higher and lower yield points.

Group 2, claim(s) 123, 190, 1371 and 1372, drawn to an expandable tubular with a yield point lower prior to expansion than a yield point after expansion.

Group 3, claim(s) 135, drawn to a method for manufacturing a tubular so that it has intermediate and final characteristics.

Group 4, claim(s) 194, drawn to a method for determining the expandability value of a tubular by multiplying the anisotropy value by the strain hardening value.

Group 5, claim(s) 199, drawn to a method for determining whether or not to expand a tubular by determining the anisotropy value.

Group 6, claim(s) 205 and 310, drawn to a system for expandable tubulars including a sleeve that overlaps two expandable tubular members.

Group 7, claim(s) 667, drawn to a method for selecting tubular members for expansion based on the carbon content and carbon equivalent content of the member.

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Group 8, claim(s) 729 and 1380, drawn to a method of heat treating and quenching a tubular member.

Group 9, claim(s) 758 and 810, drawn to a system for radially expanding tubulars wherein the coefficient of friction between an expander and an expandable element is less than .08.

Group 10, claim(s) 925, drawn to an expansion device with a lubrication device that injects a lubricant at a certain pressure.

Group 11, claim(s) 1038 and 1233, drawn to an expansion system with a tapered expander having a groove for receiving lubricant.

Group 12, claim(s) 1044 and 1260, drawn to a system for reducing the coefficient of friction between an expander and an expandable member by altering a physical or chemical element.

Group 13, claim(s) 1046 and 1107, drawn to a system for lubricating two elements.

Group 14, claim(s) 1221 and 1223, drawn to drawn to a system for reducing the coefficient of friction between an expander and an expandable member to less than .08 using a lubricator having a reservoir and magnetic coil.

Group 15, claim(s) 1222 and 1224, drawn to drawn to a system for reducing the coefficient of friction between an expander and an expandable member to less than .08 by vaporizing a lubricant.

Group 16, claim(s) 1264 and 1313, drawn to a system for expanding a tubular including a tapered expander with a polygonal outer surface.

Group 17, claim(s) 1370, drawn to an expandable tubular having a certain composition.

Group 18, claim(s) 1373, drawn to an expandable tubular member that has an anisotropy between 1.04 to 1.92 prior to expansion.

Group 19, claim(s) 1374, drawn to an expandable tubular member that has an expandability coefficient greater than .12.

Group 20, claim(s) 1375, drawn to an expandable tubular wherein if the carbon content is less than .12, the carbon equivalent is greater than .21.

Group 21, claim(s) 1376, drawn to a lubricant.

Group 22, claim(s) 1378, drawn to an expansion tool that reduces the coefficient of friction between itself and a tubular member and reduces the ratio of the tubular diameter and tubular wall thickness.

Group 23, claim(s) 1379, drawn to a tubular member having a coefficient of friction lower than .075 and a ratio of tubular diameter to tubular wall thickness lower than 21.6.

Group 24, claim(s) 1381, drawn to a tubular member with specific yield properties.

Group 25, claim(s) 1382, drawn to baking a tubular after radial expansion.

The inventions listed as Groups 1 through 25 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Each group is directed to a distinct invention having no common inventive step.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Harcourt whose telephone number is (571)272-7303. The examiner can normally be reached on Monday through Friday from 8:30 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on 571-272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jennifer H Gay/
Supervisory Patent Examiner, Art
Unit 3676

BH
7/17/08